

## SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

### PART 3408—REQUIRED SOURCES OF SUPPLIES AND SERVICES

AUTHORITY: 5 U.S.C. 301, 40 U.S.C. 486(c).

#### Subpart 3408.8—Acquisition of Printing and Related Supplies

##### 3408.870 Printing clause.

The contracting officer shall insert the clause in 3452.208-70, Printing, in all solicitations and contracts other than purchase orders.

[53 FR 19120, May 26, 1988]

### PART 3409—CONTRACTOR QUALIFICATIONS

#### Subpart 3409.4—Debarment, Suspension, and Ineligibility

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3409.403 [Reserved]

3409.406 Debarment.

3409.406-3 Procedures.

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3409.502 Applicability.

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3409.507 Procedures.

3409.570 Offeror certification provision.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c), unless otherwise noted.

SOURCE: 53 FR 19120, May 26, 1988, unless otherwise noted.

#### Subpart 3409.4—Debarment, Suspension, and Ineligibility

3409.403 [Reserved]

3409.406 Debarment.

3409.406-3 Procedures.

The debarring official may enter into a settlement with a contractor under which the contractor voluntarily excludes itself from, or restricts its participation in, Government contracting and subcontracting for a specified period.

### Subpart 3409.5—Organizational Conflicts of Interest

#### 3409.502 Applicability.

This subpart applies to all ED contracts except contracts with other Federal agencies. However, this subpart applies to contracts with the Small Business Administration (SBA) under the 8(a) program.

#### 3409.503 Waiver.

The HCA is designated as the official who may waive any general rule or procedure of FAR subpart 9.5 or of this subpart.

#### 3409.507 Procedures.

(a) If the effects of a potential or actual conflict of interest cannot be avoided, neutralized, or mitigated before award, the prospective contractor is not eligible for that award. If a potential or actual conflict of interest is identified after award and the effects cannot be avoided, neutralized, or mitigated, ED terminates the contract.

(b) The Procurement Executive is designated as the official to conduct reviews and make final decisions under FAR 9.507(c)(4).

#### 3409.570 Offeror certification provision.

The contracting officer shall insert the provision in 3452.209-70, Organizational Conflict of Interest, in all solicitations.

## PART 3410—SPECIFICATION STANDARDS AND OTHER PUR- CHASE DESCRIPTIONS

### Subpart 3410.7—Use of Metric System

Sec.

3410.701 Policy of the Department of Education with respect to use of the metric system.

3410.702 Definitions.

3410.703 Responsibilities of the Department of Education with respect to use of the metric system.

AUTHORITY: 15 U.S.C. 205b.

## **3410.701**

SOURCE: 58 FR 30088, May 25, 1993, unless otherwise noted.

### **Subpart 3410.7—Use of Metric System**

#### **3410.701 Policy of the Department of Education with respect to use of the metric system.**

It is the policy of the Department of Education to encourage use of the metric system in industry standards, consistent with the legal status of this system as the preferred system of weights and measures for United States trade and commerce.

#### **3410.702 Definitions.**

*Department* means the United States Department of Education.

*Metric system* (a) This term means the International System of Units established by the General Conference of Weights and Measures in 1960.

(b) The units are listed in Federal Standard 376A, "Preferred Metric Units for General Use by the Federal Government."

## **48 CFR Ch. 34 (10–1–07 Edition)**

#### **3410.703 Responsibilities of the Department of Education with respect to use of the metric system.**

(a) Consistent with the Federal Acquisition Regulation System, contracting officers of the Department shall—

(1) Accept, without prejudice, products and services dimensioned in metric units if they are offered at competitive prices and meet the needs of the Department; and

(2) Ensure that acquisition planning considers these products and services.

(b) Consistent with the policy in the Metric Conversion Act, as amended, and in 3410.701, if the metric system is the accepted system of weights and measures in a particular industry, the Department ensures that solicitations include specifications and purchase descriptions stated in metric units of measurement.

(c) If the metric system is not the accepted system of weights and measures in a particular industry, the Department ensures that solicitations for procurements in excess of the small purchase threshold permit offerors to propose products or services in metric units of measurement, except when to do this would be detrimental to the purpose of the affected program.